

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**BRIAN HUDGINS, on his own behalf
and on behalf of those similarly
situated,**

CASE NO.: 1:16-CV-7331

Plaintiffs,

vs.

TOTAL QUALITY LOGISTICS, LLC,

Defendant. _____/

PLAINTIFFS' PROPOSED VOIR DIRE QUESTIONS

Plaintiff, BRIAN HUDGINS, on behalf of himself and the Opt-in Plaintiffs who have joined and remain in this matter (collectively "Plaintiffs"), by and through their undersigned counsel, pursuant to this Court's Order dated April 25, 2024 [D.E. 421], files his Proposed Voir Dire Questions and proposes:

1. Have you ever served on a jury before? If yes:
 - a. Were you the foreperson?
 - b. What was that case about?
 - c. Did the jury reach a verdict?
 - d. Did this experience leave you with any negative feelings? If yes, please explain.
2. What is your favorite source of news?
3. What is your educational background?
4. Does any member of this jury panel believe that conflicts between individuals should be settled outside of court?
5. Have you ever served in the military? If yes, please explain.

6. Have any of you ever been involved in a lawsuit before? Tell us about it.

7. How many people here think there are too many lawsuits? If yes, please explain your answer.

8. Do you believe that most lawsuits are brought by a) people who have had unfortunate things happen to them; or b) people who do not want to take personal responsibility for their own actions?

9. There may be some conflict of testimony of witnesses. As a jury it will be your job to determine who you think is telling the truth. We have all had experience trying to decide who is telling the truth at some point in our lives, and some people are very uncomfortable in those situations. Others are comfortable in situations where they are asked to decide who is telling the truth when there are competing versions of the truth. Are any of you uncomfortable about accepting the responsibility to determine who is telling the truth?

10. Does anyone believe that an employer should be able to make up the laws it wants to enforce for its own company and employees?

11. Does anyone believe that corporations are more trustworthy than their employees?

12. Have you or someone close to you ever owned a business? If so, briefly describe and state whether the business has ever been sued by a current or former employee.

13. Please state your present employment, your duties and how long you have been employed.

14. Have you or any member of your family, including your spouse or children ever been involved as an officer or supervisor in management of a corporation, partnership or other association?

15. Have you, any member of your family, or any close friends been employed in the

personnel or human resources department of any company or have any HR training?

16. Do you, any member of your family, or any close friends have any legal education or training? If so, describe the education and/or training.

17. Have you, any member of your family, or any close friends been employed by any law firm or court system?

18. Are you paid an hourly wage or a salary?

19. Do any of you make personnel decisions about other employees?

20. Do you have any views about employees who sue their employers which could make you lean towards or favor one side or the other in this case before you hear all the evidence?

21. In general, do you think that most employers treat their employees fairly?

22. Have you ever been involved in any employment-related legal disputes? If so, what was the nature of the dispute? What was its outcome?

23. When you hear that there is a lawsuit between an employee and a company, which one of the following best describes your immediate reaction:

- a. ☐ The employee is definitely right
- b. ☐ The employee is probably right, but I need some more information
- c. ☐ I don't know who is right; I need more information
- d. ☐ The company is probably right, but I need more information
- e. ☐ The company is definitely right

24. Have you, anyone in your family, or a close friend ever worked for or utilized the services of the Defendant, Total Quality Logistics? [If so, please explain].

25. The Plaintiff in this case is represented by Kim DeArcangelis, Ryan Morgan and Jolie Pavlos, from the law firm of MORGAN & MORGAN, P.A. The Defendant is represented by Greg Utter and Joseph Callow, from the law firm of Callow & Utter. Do you know any of the attorneys or law firms involved in this case? If so, explain how you know them.

26. The Parties and witnesses in this matter are (provide names for all parties/witnesses). Does anyone here know any of the Parties or witnesses?

27. This is a case in which Plaintiffs claim that they regularly worked in excess of forty (40) hours per workweek and were not paid for overtime hours worked on behalf of the Defendant. Defendant denies these allegations, and state that Plaintiffs were exempt from overtime at all times. Is there any reason that the subject matter of this trial or your life experiences would affect your ability to render a fair and impartial verdict?

28. Have any of you worked at a job where you were classified as exempt and did not get overtime?

29. Have you, any member of your family, or any close friends ever not been paid overtime when you worked overtime hours?

30. Do you have particularly strong feelings about claims for overtime wages or employees who make them?

31. Will your employer pay you your full salary the entire time you are on jury duty? If not, please explain.

32. Do you believe that most people involved in lawsuits concerning unpaid wages for their hours worked tend to exaggerate their claims?

33. Have you, any member of your family, or any close friends ever been the subject of a lawsuit or any other claim or investigation by an employee? If so, please describe.

34. Have you, any of your close relatives or friends sued an employer over a job-related situation?

35. Do you know of any reason why you could not render a fair or impartial verdict in this case? If yes, please explain.

36. Each juror will have a duty of making up his/her own mind. Do you think you might vote according to how the other jurors feel, even if you were convinced you were right and they were wrong?

37. If the other jurors disagreed with your beliefs and opinions, would you stand your ground and try to persuade your fellow jurors to change their minds?

38. Will you be able to follow the legal instructions given to you by the Court regardless of your personal feelings as to what the law should be?

39. You understand that if the law you are instructed on is different from your understanding, you have to follow the law. Will anyone not be able to do that?

40. Do you understand, and can you agree, that you will wait until you have heard all of the testimony from all of the witnesses and carefully listened to the Court's instructions on the law before you form any conclusions?

41. Is there any additional information you believe the Court should know about you to assist the parties and the court in selecting the jury for this trial?

42. Is there anyone as you sit here today, just based on what you have heard thus far, believe you could not sit and be fair and impartial?

Dated: July 22, 2024

Respectfully submitted by,

/s/ Kimberly De Arcangelis
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing has been furnished to the Clerk of the Court using the CM/ECF System which I understand will send electronic notice to all counsel of record, this 22nd day of July, 2024.

/s/ Kimberly De Arcangelis
Kimberly De Arcangelis, Esquire